

State of South Dakota

EIGHTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 2008

400P0690

HOUSE STATE AFFAIRS ENGROSSED NO. **HB 1319** - 2/6/2008

Introduced by: The Committee on State Affairs at the request of the Office of the Governor

1 FOR AN ACT ENTITLED, An Act to make an appropriation for the purpose of making
2 revolving loans to public entities for energy saving projects.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. Within the energy conservation loan special revenue fund, there shall be created
5 the state government energy savings subfund and the community energy savings subfund. The
6 state government energy savings subfund shall be used for the purpose of making loans to state
7 agencies and institutions for energy saving capital improvement projects. The community energy
8 savings subfund shall be used for the purpose of making loans to counties, municipalities, and
9 school districts for energy saving capital improvement projects.

10 Section 2. Each loan made from the community energy savings subfund shall require a ten
11 percent match from the loan recipient as a condition of the loan, and the payment of such
12 interest established by Bureau of Administration pursuant to section 5 of this Act.

13 Section 3. Any repayment of a loan made and any interest on the loan shall be receipted into
14 the energy conservation loan special revenue fund. Any money in the fund is hereby
15 continuously appropriated for the purposes of making loans as provided in this Act. Loan



1 repayments shall be calculated based upon the savings generated by the project for the loan
2 recipient.

3 Section 4. The Bureau of Administration may accept and expend for the purpose of this Act,
4 in addition to the amounts deposited in the energy conservation loan special revenue fund, any
5 funds obtained from federal sources, gifts, contributions, or any other source if the acceptance
6 and expenditure is approved in accordance with § 4-8B-10.

7 Section 5. The Bureau of Administration shall promulgate rules pursuant to chapter 1-26
8 concerning the following:

- 9 (1) The submission of an energy plan by a governmental entity prior to the approval of
10 a loan. Each energy plan shall include the efforts to be made by the governmental
11 entity to reduce or minimize energy consumption and expenditures;
- 12 (2) Eligibility criteria for a loan;
- 13 (3) Application procedures for a loan;
- 14 (4) Criteria for determining which applicants will receive a loan;
- 15 (5) The terms of repayment including interest at a rate not to exceed four percent; and
- 16 (6) Follow-up reporting to the Bureau of Administration to assure compliance with
17 project plans.

18 Section 6. There is hereby appropriated from the general fund the sum of five million dollars
19 (\$5,000,000), or so much thereof as may be necessary, to the state government energy savings
20 subfund established pursuant to section 1 of this Act.

21 Section 7. There is hereby appropriated from the general fund the sum of five million dollars
22 (\$5,000,000), or so much thereof as may be necessary, to the community energy savings subfund
23 established pursuant to section 1 of this Act.

24 Section 8. The commissioner of the Bureau of Administration and the secretary of the

1 Department of Tourism and State Development shall approve vouchers and the state auditor
2 shall draw warrants to pay expenditures authorized by this Act.

3 Section 9. The provisions of § 4-8-21 do not apply to the funds appropriated by this Act.